

WHY PAROLE?

By John D'Amico, Chairman, N.J. State Parole Board

“Parole” is a period of supervised release by which an inmate is allowed to serve the final portion of his or her sentence outside the gates of the institution on certain terms and conditions, in order to prepare for his or her eventual return to society. The State Parole Board consists of 15 members divided into 6 adult panels of two members each and 1 juvenile panel with 2 members. The agency has 300 central office employees who administer the agency and make release and revocation decisions. In addition, approximately 400 armed parole officers in 11 district offices are supervising approximately 14,000 parolees throughout the state.

There are four principal reasons that parole is a critical component of our criminal justice system. First, once the punitive aspect of a sentence has been served, an inmate has a constitutionally protected right to be considered for parole. The Parole Act of 1979 created “presumptive parole”, meaning that when an inmate appears before a Parole Board Panel, the assumption before anything is said or reviewed is that the inmate has a legitimate expectation of release on his or her eligibility date. It is therefore important that the Parole Board make appropriate release decisions based on all relevant information. To assist Parole Board members in this important task, we obtain psychological evaluations of inmates before their hearings, and we employ a risk and needs assessment tool, the LSI-R, to determine what degree of supervision and what program placement is appropriate.

Second, N.J.S.A. 30:4-123.53 provides as to offenses committed on or after August 19, 1997, that an adult inmate shall be paroled unless he or she has failed to cooperate in his or her own rehabilitation or there is a reasonable expectation that the inmate will violate conditions of parole. This statutory standard implements an important objective of parole—namely, to encourage an inmate to avoid institutional disciplinary infractions and participate in institutional programs while incarcerated. In addition to helping the Department of Corrections maintain order and security in the prisons, the anticipation of parole provides a powerful incentive

for the inmate to develop pro-social personal goals and strengths and become motivated for law-abiding behavior.

Third, the State Parole Board is a cost avoidance agency. According to U.S. Bureau of Justice statistics, the cost of fighting crime in U.S. for police, prisons and the courts in 2001 was \$167 billion. The N.J. Department of Corrections houses about 27,000 inmates in 14 major institutions. Its annual budget is approximately \$1 billion. The annual cost of housing a state prisoner is now about \$33,000, or \$90 per day.

For the great majority of prisoners—persons convicted of property & drug crimes—criminal justice experts throughout the country have concluded that increasing the length of stays in prisons beyond certain levels significantly increases costs but does not necessarily produce more public safety. Increases in length of stay, on the other hand, have a huge impact on prison costs. The annual cost of incarcerating N.J. drug offenders is greater, at an estimated \$266 million, than what 1/3 of the states spend on their entire corrections systems.

Money saved by reducing the prison inmate population can produce a net reduction in crime because other approaches are much less expensive than incarceration, and they work better. This statement does not represent my personal philosophy about crime, but rather reflects a national consensus documented by numerous studies. (See the New Jersey Reentry Roundtable Final Report, December, 2003, *Coming Home for Good: Meeting the Challenge of Prisoner Reentry in New Jersey*, published by the New Jersey Institute for Social Justice and the New Jersey Public Policy Research Institute. See also the Re-Entry Policy Council Report, 2005, *Charting the Safe and Successful Return of Prisoners to the Community*, published by the Re-Entry Policy Council, U.S. Department of Justice, U.S. Department of Labor & U.S. Department of Health & Human Services.)

The U.S. Department of Health & Human Services, Center for Disease Control, estimates that every \$1 invested in treatment reduces the costs of drug-related crime, criminal justice costs, and theft by \$4 to \$7. When health care savings are added in, total savings can exceed costs by a ratio of 12 to 1. A U.C.L.A. study published in October, 2005, shows that every dollar spent on

substance abuse treatment generates \$7 in monetary benefits to society such as reduced costs of crime and increased employment earnings.

These fiscal considerations are affecting public willingness to support policy changes. There is a growing recognition that what we have done in the past, which was lock them up and throw away the key, isn't working.

In response to these considerations, the Parole Board is implementing new approaches to the supervision of parolees, the majority of whom (over 90%) committed crimes involving property, drug or public disorder offenses. These new programs include diversion to substance abuse treatment, education, vocational training, life skills development, money management, and counseling. We have also reached out to the communities to which ex-prisoners return by way of our regional conferences, and we have secured the assistance of ministers, rabbis, imams, and community groups—free of charge—in fostering the successful reintegration of parolees into society. This wide array of programs and initiatives range in cost from \$0-36/day vs. \$90/day for re-incarceration.

The fourth reason that parole is a critical component of our criminal justice system is that it is the mission of the State Parole Board is to protect public safety and promote successful re-entry or reintegration of ex-prisoners into society.

In terms of public safety, the State Parole Board is a crime-prevention agency. In addition to supervising their regular caseload of parolees, our parole officers routinely cooperate with local and state law enforcement agencies in major anti-crime operations, the most recent example being a major drug bust in Morris County in 2005. The Parole Board has also formed specialized units to apprehend fugitives, monitor sex offenders, and address gang-related crime.

The newly establishing Sex Offender Management Unit is able to track the movements of sex offenders by way of global position satellite monitoring. The Unit received national media attention in 2005 for its Halloween curfew for sex offenders, which heightened parental awareness of the need to protect their children.

Parole officers are working with the Attorney General's Office, county prosecutors, the U.S. Attorney's office, the courts, state and local police, county sheriffs, and the Juvenile Justice Commission in the Newark, Camden, and Trenton

Safe Cities Initiatives. The goal of these collaborations is to organize local leaders and the criminal justice community in an effort to reduce violent crime and help city residents feel safe in their homes and neighborhoods.

Another extremely important public safety initiative is the Gang Reduction and Aggressive Supervised Parole (GRASP) joint operation between the State Police Gang Unit, the Department of Corrections, and the State Parole Board's Gang Reduction Unit. N.J. is infiltrated with nearly 700 street gangs with nearly 17,000 members. Thirty-nine percent of New Jersey's suburban towns, including such bucolic places as Princeton Borough, have reported not only the presence of gangs but also the occurrence of gang-related atrocious assaults and murders. One-fifth of all murders in NJ are gang related. Gang prevention and reduction strategies are desperately needed to meet this growing problem.

The Parole Board is also an active partner with the State Office of Counter-Terrorism, the F.B.I., the State Police, and the N.J. Transit Police with respect to various Homeland Security missions, including the identification and interdiction of potential terrorism activity. In 2004, Parole officers provided coverage at major railroad stations during the Republican National Convention in New York City.

The other part of the Parole Board's mission focuses on prisoner reentry—the process of leaving prison and returning to society, which has become a pressing issue throughout the nation. Ex-prisoners are returning home in large numbers, having spent longer terms behind bars. In New Jersey, over 70,000 inmates will be released in the next five years. Unfortunately, the great majority of them will be unprepared for reintegration and will commit new offenses.

Recidivism, or re-offending, is a major problem in New Jersey and throughout the country. The national average recidivism rate is 67%--meaning that 67% of ex-prisoners will be rearrested within 3 years of their release. N.J.'s recidivism rate of 60% is lower than the national average, but not by much and not by enough. Fortunately, a new study of the recidivism of inmates released from N.J. state prisons in 2001 shows statistically significant reductions in re-arrest, reconviction, and re-incarceration for those released on parole and under parole supervision as opposed to those who served their maximum sentences and left

prison without any supervision. Approximately 5,000 inmates max out each year. When more recent cohorts of ex-prisoners are studied, we expect even better results.

To combat recidivism effectively, parole and probation agencies, law enforcement, and the general public must understand and work together to counteract the causes of criminality, address the problems that plague ex-prisoners, and help meet their needs. The criminal justice system must also recognize its limitations and augment its efforts by employing prisoner reentry partnership strategies involving other government agencies, foundations, corporations, labor unions, non-profit organizations, faith-based entities, community groups, and individual volunteers.

The Reentry Environment

The environment for reentry can be characterized as hostile. There are four major plagues of the criminal justice system that prevent or retard successful ex-prisoner reintegration into society: addiction, illness, ignorance and immorality.

Substance abuse and addiction is a pervasive national problem. Over 50% of released inmates have a drug or alcohol problem. More than half of state prisoners reported they were using drugs or alcohol when they committed the offense that led to their incarceration. The impact of drug recidivism is substantial, destroying families, destabilizing communities, and increasing health care costs.

The use of prison as the principal response to drug offenses has not succeeded because as with any other business, if you eliminate a salesman without eliminating demand, the salesman's boss will hire someone else. Drug treatment works because a recovering drug user is not automatically replaced with a new addict. Treatment programs aimed at consumption reduction are much cheaper than prison and they are effective, reducing the likelihood of drug use and associated criminal behavior and increasing employment.

The New Jersey Parole Board contracts with outside vendors to operate day reporting centers and residential substance abuse treatment programs. Firms such as Kintock, Education and Health Centers of America, BI Inc., and Volunteers of America guide parolees toward successful reentry, using the cognitive behavioral therapy model. The Parole Board has adopted a policy of graduated responses to

technical parole violations under which parolees who fail urine tests are referred to treatment and counseling in lieu of parole revocation and re-incarceration. Demand for treatment exceeds existing capacity, however. To fill this gap, the Parole Board encourages, but does not mandate, participation in Alcoholics Anonymous, Narcotics Anonymous, and various other faith-based recovery programs such as “The Most Excellent Way.”

The second major criminal justice plague is illness. Nearly one third of state prisoners have a learning or speech disability, hearing or vision problem, or a mental or physical condition. Fifteen to twenty percent of prisoners suffer from at least one chronic condition, such as asthma, diabetes, or hypertension. About ten percent have at least one communicable disease or condition, such as HIV, AIDS, tuberculosis, syphilis, chlamydia, gonorrhea, Hepatitis-B, or Hepatitis-C.

Parolees with untreated chronic diseases impose substantial burdens on the community health system and often recycle into the criminal justice system. Effective re-entry health planning insures that parolees who lack health insurance coverage can gain access to health care services in the community. Toward this end, the Parole Board and the N.J. Department of Health are working together to facilitate referral of these parolees to Federally Qualified Health Care Centers.

Much more needs to be done, however—particularly to address mental illness. Approximately sixteen percent of N.J. inmates have been identified as having mental health problems, with more than that undiagnosed. The absence in N.J. and many other states of effective sustained treatment for mentally ill ex-prisoners has forced the criminal justice system, rather than the mental health care system, to respond to the erratic behavior exhibited by the untreated mentally ill. The overall cost of repeated incarcerations and hospitalizations of this population is staggering. Effective mental health treatment must be initiated in prison and continued after release if mentally ill parolees are to reintegrate successfully. To begin to address this need, the N.J. Parole Board, Department of Corrections, Department of Human Services, Division of Mental Health Services, Department of Community Affairs and Housing and Mortgage Finance Agency have developed a pilot program called Program for Returning Prisoners with Mental Illness Safely

and Effectively (PROMISE). It will provide treatment, transitional housing, rental subsidies, employment, support, education and relapse prevention training to mentally ill parolees.

Another important partnership initiative involves the Nicholson Foundation, which is training Parole Board and county public assistance agency employees to help parolees qualify upon release for S.S.I., Medicaid, Veteran's benefits, and food stamps. There are untapped federal funds available to certain qualified parolees in these programs that can address an array of physical and mental health care needs.

The third major criminal justice plague is ignorance. The average level of education of N.J. inmates is 6th grade in reading and grade 5.4 in math. Lack of education and work skills are major impediments to meaningful employment. Parolees must be required or encouraged to further their education, particularly in the areas of learning, language, math, and computer skills. The N.J. Parole Board encourages parolees to obtain G.E.D. degrees and has also forged partnerships with educational institutions to address the educational deficits of parolees.

Vocational training is also extremely important. There exist many opportunities public-private partnerships in this area. For example, in response to an industry-wide shortage of auto mechanics, a Ford Motor Company dealer named Rich Liebler has created a state-of-the-art training facility for parolees. Another successful partnership between the Parole Board and the New Community Corporation in Newark, N.J., provides culinary arts training. Parolees are also enrolled in various apprenticeship programs funded by trade unions.

The fourth major plague of the criminal justice system is immorality. Most of the factors that predict recidivism--antisocial values, antisocial peers, poor self-control, lack of pro-social problem-solving skills, and family dysfunction--relate to the absence of morals or values and the inability of prisoners to conform to the laws governing society and accepted notions of right and wrong. Faith-based institutions have unique and powerful spiritual expertise and can offer a wealth of resources, services, and ministries for the communities in which they reside that can address these factors.

Ministers, imams, priests, rabbis, mentors, faith fellowship groups, and people of good will can help parolees replace antisocial values with pro-social values; counteract the negative and harmful influences of anti-social peers; encourage parolees to accept responsibility for their actions; help them respond positively to crises and problems; and help restore family connections. Accordingly, the Parole board has challenged the faith-based community to respond to a “Parole Board altar call” to help combat immorality in the criminal justice mission field by changing the hearts and minds of at-risk parolees.

In addition to the myriad problems that these four plagues present, newly released prisoners have critical needs that place significant barriers in the path to reentry. There are three major needs of parolees that need to be addressed as part of discharge planning and re-entry: jobs, housing and transportation.

The single greatest obstacle to successful prisoner reentry is unemployment. When an ex-prisoner returns home and is unable to locate productive work, all the influences and temptations that led to the original incarceration begin to take hold once again. A prime example of this syndrome is the ex-drug dealer who cannot get a job and concludes that he can make a quick buck by returning to his trade—barring re-arrest.

Jobs incapacitate potential offenders the same way hard time does, taking away leisure time and reducing the opportunity for recidivism.

Unfortunately, the majority of parolees lack the skills and education needed to compete successfully in the labor market upon release. They confront many barriers to employment such as stigma, statutory bars to certain occupations, and lost time from the labor force.

Fortunately, there are strong incentives for employers to hire parolees: federal bonding, tax breaks, drug testing by parole officers, and the additional protections offered by parole supervision. What is needed, however, is a concerted effort by employers, organized labor, and community and faith-based organizations to provide employment opportunities to parolees.

The N.J. State Parole Board has partnered with these groups to educate and train parolees, help them overcome the stigma of convict status, and offer them

secure and maintain living-wage jobs. To overcome the reluctance of newly paroled ex-prisoners to visit N.J. Department of Labor offices in person to apply for its One-Stop Career Center programs, the Parole Board and Labor Department have created a referral system that automatically enrolls them upon release through the DOL American One-Stop Operating System. As a result, more parolees are receiving job readiness assessments, detailed remediation plans to help them become job ready, and job placement services.

The second major need of parolees is housing. The first few months following release are a critical time when a returning prisoner may be most tempted to fall back into old habits. Without the benefit of stable housing, parolees struggling to meet other basic needs, such as finding employment and gaining access to substance abuse treatment and health care services, face a higher risk of relapse and recidivism.

Returning prisoners rarely have the financial resources or personal references needed to compete for and secure housing in the private housing market. Landlords typically ask applicants to list employment and housing references and require disclosure of financial and criminal history information, putting ex-prisoners at a disadvantage.

For some parolees, returning to the homes of their families is not an option. Welfare reform and changes in public housing regulations make felony drug prisoners ineligible for funding and housing placement. In addition, Federal policies barring certain convicted felons from public housing units can result in the eviction of all members of a household because of criminal offenses committed by a family member or guest.

In New Jersey, 1300 prisoners per year are released as “placement cases”, meaning that they have no place to live. The Parole Board offers limited financial aid to put parolees into rooming houses, shelters, and motels—an essential but unsatisfactory stopgap measure. The Parole Board is working with the private sector and the faith-based community to develop transitional and permanent housing for parolees. The Parole Board is also receiving financial help and technical assistance from the N.J. Department of Community Affairs and the Housing and

Mortgage Finance Agency, which has established a dedicated prisoner re-entry housing fund.

The third major need of parolees is transportation, without which it is difficult if not impossible to secure and hold a job. Many parolees have had their drivers' licenses suspended because of drug or other offenses. Unable to pay accumulated motor vehicle fines and insurance surcharges, they have difficulty restoring their driving privileges. The Parole Board has asked churches to pool donations to help parolees pay off these obligations. The Euphrates Ministry in Neptune, N.J. has been the first to respond.

Parolees who are unable to drive and do not have easy access to public transportation need special attention. To meet this need, the Parole Board has persuaded volunteers in churches and community-based organizations to use vans that sit idle during weekdays to drive parolees to and from work and other important destinations such as doctors offices, clinics, parole offices, and schools.

Parole Cannot Do It Alone

Another key element to successful reentry is the recognition that it is a challenge that is too big for any one agency or organization, or even groups of agencies. Community support is vital for prisoners leaving prison. Even ex-prisoners who make positive life changes while incarcerated will frequently resume old behavioral patterns that lead to new crimes if they return to their former environments without guidance and support. Ex-prisoners who feel accepted by their community and believe they are valued are less likely to offend.

An outstanding example of the potential of community partnerships is The Seth Boyden neighborhood center in Newark. Established with the assistance of the Newark Housing Authority in one of the oldest public housing complexes in the city, this center brings together the resources and expertise of local volunteers as well as various governmental agencies, educational institutions and community organizations to help place parolees and neighborhood residents in appropriate programs and jobs. The N.J. Parole Board is planning to establish neighborhood-based service centers in other cities.

A unique outgrowth of the Seth Boyden program is the development by Professor Jeff Mellow of Bloomfield College of a citywide interactive database for people leaving prison and their families in Newark called www.newarksuccess.org. It gives parolees information about and peer evaluations of programs and services. It is now being expanded statewide at www.NJSuccess.org.

Other effective community partnerships involve the Parole Board and federal, state and municipal agencies. For example, the goal of the Newark and Camden Safe Cities Initiatives is to promote public safety by helping local leaders and the criminal justice community focus intensive supervision and services on the most violent ex-prisoners. Participants include the N.J. Attorney General, county prosecutors, the U.S. Attorney's office, the Juvenile Justice Commission (the juvenile corrections agency), the Courts, probation, state and local police, county sheriffs, and service and treatment providers.

The N.J. State Parole Board has also been an active participant in the New Jersey Prisoner Re-entry State Policy Academy. Various state agencies, including the Department of Corrections, Juvenile Justice Commission, Department of Labor, Health, Human Services, and the Attorney General's Office, with the extremely valuable assistance of the NJ Institute for Social Justice, have developed reentry strategies focused on issues of public safety, community and family well-being, housing, employment, substance abuse and health.

Finally, the N.J. State Parole Board has established a Community Partnership Unit to create new community-based partnerships with employers, labor unions, educational institutions, treatment and service providers, community organizations, faith-based ministries, and volunteers to promote successful prisoner re-entry. With the cooperation and assistance of community colleges and churches, the Parole Board has convened community partnership conferences in major N.J. cities such as Newark, Camden, Paterson, and Atlantic City. Participants in these half-day sessions are given free breakfast and lunch. During an introductory plenary session, the impact of recidivism on the host community is described, and the problems and challenges of re-entry are thoroughly explained. This is followed by concurrent workshops focused on critical prisoner reentry issues such as

building a safer city, homelessness, education, employment, physical and mental illness, addiction, gang reduction, faith-based partnerships, and family restoration.

At the end of each workshop, the attendees are asked to join a local task force to develop local solutions to the problems discussed. A member of the Community Partnership Unit will schedule and staff periodic meetings, make sure that momentum is maintained, and pursue the opportunities presented by local networking.

An outstanding example of the success of this approach has emerged from the faith-based task forces. A Christian substance abuse recovery program, “The Most Excellent Way” (www.mostexcellentway.org) has been embraced by participating ministers, church leaders and congregants throughout the state. It couples substance abuse counseling and group therapy with specific, concrete responses to the needs of ex-prisoners. Drawing on the resources of their members, churches and charitable organizations such as the Salvation Army have helped parolees secure housing by advancing money for security deposits. They have also provided job referrals, transportation, clothing, haircuts, and free medical and dental care. Very few parolees have dropped out of The Most Excellent Way, and the recidivism rate of successful completers is very low.

Conclusion

We at the New Jersey State Parole Board have learned to our astonishment that people of good will have been waiting to lend a helping hand, but have never been asked. The ultimate prisoner re-entry partnership strategy, then, is to communicate the core principle that it is not only the job of the parole or probation agency but also the job of good citizens in every community to care about the ex-prisoners returning to their neighborhoods and to actively promote their successful reintegration into society.

Our partnerships with the community and other criminal justice and government agencies are only the beginning. The initial results are promising and we look forward to strengthening and expanding our collaborations, and increasing the success of reentry.

The criminal justice system in New Jersey is recognizing that the proper approach is not to get tough or soft on crime, but to get smarter about crime and to do what is fair, what is right, and what is just. An efficient and innovative parole system is a valuable weapon in the battle against recidivism. With your help and the assistance and cooperation people of good will in the communities to which ex-prisoners return, the State Parole Board will be able to prevent new crimes and stop recycling young men and women back into the criminal justice system. Valuable tax dollars will be saved and the quality of life in New Jersey will be improved as more ex-prisoners become productive citizens.

For further information, visit the N.J. State Parole Board's website at www.state.nj.us/parole .